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8 IN THE UNITED STATES DISTRICT COURT

9 EASTERN DISTRICT OF CALIFORNIA

10

11 UNITED STATES OF AMERICA,

12 Plaintiff,

13 v.

14 APPROXIMATELY \$827.04 SEIZED FROM
15 PAYPAL ACCOUNT ASSIGNED TO EMAIL
GABRIELALVA92@GMAIL.COM,

16 APPROXIMATELY \$8,975.10 SEIZED FROM
DISCOVER BANK ACCOUNT NUMBER
17 7016627348 IN THE NAME OF GABRIEL ALVA,

18 APPROXIMATELY \$885.10 SEIZED FROM
ALLY BANK ACCOUNT NUMBER 1069206298
19 IN THE NAME OF CATHERINE STUCKEY,

20 APPROXIMATELY \$4,984.84 SEIZED FROM
CITI BANK ACCOUNT NUMBER 42011053883
21 IN THE NAME OF CALIFITT, LLC,

22 APPROXIMATELY \$8,686.40 SEIZED FROM
CITI BANK ACCOUNT NUMBER 206269441 IN
23 THE NAME OF CALIFITT, LLC, AND

24 APPROXIMATELY \$445.98 SEIZED FROM
WELLS FARGO BANK ACCOUNT NUMBER
25 2018552089 IN THE NAME OF CATHERINE
STUCKEY,

26 Defendants.

27

28 2:20-MC-00002-TLN-KJN

STIPULATION AND ORDER EXTENDING
TIME FOR FILING A COMPLAINT FOR
FORFEITURE AND/OR TO OBTAIN AN
INDICTMENT ALLEGING FORFEITURE

1 It is hereby stipulated by and between the United States of America and potential claimant
2 Gabriel Alva (“claimant”), by and through their respective counsel, as follows:

3 1. On or about August 6, 7, 9, and 12, 2019, the Homeland Security Investigation (“HSI”)
4 seized the above-referenced defendant funds pursuant to Federal seizure warrants (hereafter collectively
5 “defendant funds”)¹.

6 2. Under 18 U.S.C. §§ 983(a)(1)(A)(i)-(iv), and 983(a)(3)(A), the United States is required to
7 send notice to potential claimants, file a complaint for forfeiture against the defendant funds, or obtain an
8 indictment alleging that the defendant funds are subject to forfeiture within one hundred and fifty days of
9 seizure, unless the court extends the deadline for good cause shown or by agreement of the parties. That
10 deadline was January 3, 2020.

11 3. By Stipulation and Order filed January 6, 2020, the parties stipulated to extend to March
12 3, 2020, the time in which the United States is required to file a civil complaint for forfeiture against the
13 defendant funds and/or to obtain an indictment alleging that the defendant funds are subject to forfeiture.

14 4. By Stipulation and Order filed March 3, 2020, the parties stipulated to extend to June 1,
15 2020, the time in which the United States is required to file a civil complaint for forfeiture against the
16 defendant funds and/or to obtain an indictment alleging that the defendant funds are subject to forfeiture.

17 5. By Stipulation and Order filed May 27, 2020, the parties stipulated to extend to July 31,
18 2020, the time in which the United States is required to file a civil complaint for forfeiture against the
19 defendant funds and/or to obtain an indictment alleging that the defendant funds are subject to forfeiture.

20 6. By Stipulation and Order filed July 21, 2020, the parties stipulated to extend to October
21 29, 2020, the time in which the United States is required to file a civil complaint for forfeiture against the
22 defendant funds and/or to obtain an indictment alleging that the defendant funds are subject to forfeiture.

23 7. By Stipulation and Order filed October 29, 2020, the parties stipulated to extend to
24 January 27, 2021, the time in which the United States is required to file a civil complaint for forfeiture
25 against the defendant funds and/or to obtain an indictment alleging that the defendant funds are subject to
26 forfeiture.

27 28 ¹ The United States has decided not to file against the Approximately \$885.10 seized from Ally Bank Account Number
1069206298 in the name of Catherine Stuckey and Approximately \$445.98 seized from Wells Fargo Bank Account Number
2018552089 in the name of Catherine Stuckey identified in the caption.

1 8. By Stipulation and Order filed January 21, 2021, the parties stipulated to extend to April
2 27, 2021, the time in which the United States is required to file a civil complaint for forfeiture against the
3 defendant funds and/or to obtain an indictment alleging that the defendant funds are subject to forfeiture.

4 9. By Stipulation and Order filed April 26, 2021, the parties stipulated to extend to June 25,
5 2021, the time in which the United States is required to file a civil complaint for forfeiture against the
6 defendant funds and/or to obtain an indictment alleging that the defendant funds are subject to forfeiture.

7 10. By Stipulation and Order filed June 25, 2021, the parties stipulated to extend to September
8 21, 2021, the time in which the United States is required to file a civil complaint for forfeiture against the
9 defendant funds and/or to obtain an indictment alleging that the defendant funds are subject to forfeiture.

10 11. As provided in 18 U.S.C. § 983(a)(3)(A), the parties wish by agreement to further extend
11 to December 20, 2021, the time in which the United States is required to file a civil complaint for
12 forfeiture against the defendant funds and/or to obtain an indictment alleging that the defendant funds are
13 subject to forfeiture.

14 12. Accordingly, the parties agree that the deadline by which the United States shall be
15 required to file a complaint for forfeiture against the defendant funds and/or to obtain an indictment
16 alleging that the defendant funds are subject to forfeiture shall be extended to December 20, 2021.

17 Dated: 9/15/2021

PHILLIP A. TALBERT
Acting United States Attorney

18 By: /s/ Kevin C. Khasigian
19 KEVIN C. KHASIGIAN
20 Assistant U.S. Attorney

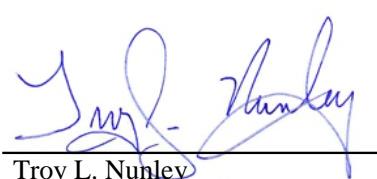
21 Dated: 9/15/2021

22 /s/ Stephen Kahn
23 STEPHEN KAHN
24 Attorney for potential claimant
25 Gabriel Alva

26 (Signature authorized by email)

27 **IT IS SO ORDERED.**

28 Dated: September 15, 2021


Troy L. Nunley
United States District Judge